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RESOLUTION 1145 (1997)

Adopted by the Security Council at its 3843rd meeting, on 19 December 1997

The Security Council,

Recalling all its relevant resolutions concerning the territories of Eastern Slavonia, Baranja, and Western Sirmium of the Republic of Croatia (the Region),

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of the Region are integral parts of the Republic of Croatia,

Recalling the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951), signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb community (the Basic Agreement), which promotes the mutual confidence, safety and security of all inhabitants in the Region,

Noting the termination of the mandate of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) on 15 January 1998, as envisaged in its resolution 1079 (1996) of 15 November 1996 as well as in the Basic Agreement, and in accordance with its resolution 1120 (1997) of 14 July 1997, and expressing its deep appreciation to the Transitional Administrators for their leadership of the efforts of the United Nations in promoting peace, stability, and democracy in the Region, and to the civilian and military personnel of UNTAES for their dedication and achievement in facilitating the peaceful reintegration of the Region into the Republic of Croatia,

Emphasizing the continuing obligation, under the Basic Agreement and international conventions, of the Government of the Republic of Croatia to allow all refugees and displaced persons to return in safety to their homes throughout the Republic of Croatia, and further emphasizing the urgency and importance of the two-way return of all displaced persons in the Republic of Croatia,

97-37535 (E)

Recalling the mandate of the Organization for Security and Cooperation in Europe (OSCE) of 26 June 1997 (S/1997/522, annex) providing for a continued and reinforced OSCE presence in the Republic of Croatia, with a focus on the two-way return of all refugees and displaced persons, the protection of their rights, and the protection of persons belonging to national minorities,

Welcoming the letter from the Foreign Minister of the Republic of Croatia to the Secretary-General of 6 November 1997 (S/1997/913), requesting a continued presence of United Nations civilian police monitors after the termination of the UNTAES mandate,

Welcoming also the report of the Secretary-General of 4 December 1997 (S/1997/953 and Addendum 1) and the recommendations contained therein, including his recommendation for the establishment of a support group of civilian police monitors,

Stressing that the Croatian authorities bear the main responsibility for the successful completion of the peaceful reintegration of the Region and the true reconciliation of the people,

1. Notes the termination of UNTAES on 15 January 1998, and expresses its continued full support for UNTAES as it completes its mandate;

2. Reiterates the continuing obligation of the Government of the Republic of Croatia, under the Basic Agreement, to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among local residents regardless of ethnic origin, as well as its continuing obligations under international conventions and other agreements in this regard;

3. Underlines that it is the Government of the Republic of Croatia and the Croatian police and judicial authorities who bear full responsibility for the security and safeguarding of the civil rights of all residents of the Republic of Croatia, regardless of ethnicity;

4. Calls upon the Government of the Republic of Croatia to implement fully and promptly all of its obligations and commitments, including those reached with UNTAES, with regard to the Region;

5. Stresses the need for the Government of the Republic of Croatia to pursue the economic revitalization of the Region and notes, in this respect, the importance of past and future involvement by the international community;

6. Notes with approval the recent improved performance of the Government of the Republic of Croatia towards fulfilling its obligations, including the adoption of a comprehensive programme of national reconciliation, and encourages continued progress in this regard;

7. Reaffirms the right of all refugees and displaced persons originating from the Republic of Croatia to return to their homes of origin throughout the Republic of Croatia, welcomes the fact that some progress has been made in the peaceful two-way return of displaced persons and the return of refugees in the

Region, and calls upon the Government of the Republic of Croatia to remove legal obstacles and other impediments to two-way returns, including through the resolution of property issues, the establishment of straightforward procedures for returns, the adequate funding of the Joint Council and all relevant activities of municipalities, the clarification and full implementation of the Amnesty Law, and other measures, as set out in the report of the Secretary-General;

8. Reminds the local Serb community of the continued importance of demonstrating a constructive attitude and participating actively in the process of reintegration and national reconciliation;

9. Stresses that the achievement of the long-term goals for the Region established by the Security Council depend upon the commitment of the Government of the Republic of Croatia to the permanent reintegration of its Serb citizens and upon the vigilant and active role of the international community and, in this regard, welcomes the key role of the OSCE;

10. Emphasizes the role of other international organizations and the United Nations specialized agencies, in particular the United Nations High Commissioner for Refugees, in the Republic of Croatia;

11. Reiterates its previous call to all the States in the region, including the Government of the Republic of Croatia, to cooperate fully with the International Tribunal for the Former Yugoslavia, and recalls its encouragement by the increased cooperation of the Government of the Republic of Croatia with the Tribunal;

12. Urges the Republic of Croatia and the Federal Republic of Yugoslavia to pursue further normalization of their relations, especially in the areas of cross-border confidence-building measures, demilitarization and dual nationality;

13. Decides to establish, with effect from 16 January 1998, a support group of 180 civilian police monitors, for a single period of up to nine months as recommended by the Secretary-General, to continue to monitor the performance of the Croatian police in the Danube region, particularly in connection with the return of displaced persons, in accordance with the recommendations contained in paragraphs 38 and 39 of the report of the Secretary-General and in response to the request by the Government of the Republic of Croatia;

14. Decides also that the support group will assume responsibility for those UNTAES personnel and United Nations-owned assets needed for its use in fulfilment of its mandate;

15. Requests the Secretary-General to keep it informed periodically and to report as necessary on the situation, and in any case no later than 15 June 1998;

16. Reminds the Government of the Republic of Croatia of its responsibility for the security and freedom of movement of all civilian police monitors and other international personnel, and requests that it provide all necessary support and assistance to the civilian police monitors;

17. Encourages liaison between the support group and the OSCE with a view to facilitating a smooth transition of responsibility to that organization;

18. Decides to remain seized of the matter.